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Pro and Con: Use and Abuse of Lie-Detector Tests

Pentagon Screening Program Sets Off Some Alarms

EVER since a polygraph machine was used during World War II to screen scientists hired to help develop the atomic bomb, the military has been taken with the "lie detector." Under President Reagan, the Pentagon has almost doubled its use of the instrument to screen applicants for jobs in the intelligence agencies, to investigate security breaches, to test foreigners hired as agents and, on at least one occasion, to track down the source of a news leak.

On Jan. 3, the Pentagon announced it would begin using the device to screen non-intelligence em-

ployees and civilian contractors who have access to highly classified information. The Defense Department has Congressional clearance to try the program for a year, conducting 3,500 tests, after which Pentagon officials would like to expand it.

Representative Jack Brooks, Democrat of Texas, has long been skeptical about the effectiveness and fairness of the polygraph. As chairman of the House Government Operations Committee, he has introduced legislation to limit the use of the instrument. Richard G. Stilwell, a retired Army general who is Deputy Under Secretary of Defense

for Policy, has headed the Pentagon's internal security efforts that led to the new polygraph program. In 1982, following a Washington Post report of a classified Pentagon budget meeting, General Stilwell ordered polygraphs of 22 top Defense Department officials who participated in the meeting — including himself.

In separate interviews last week with Bill Keller, a Washington correspondent of The New York Times, the two men were asked if the polygraph is really a useful tool in protecting American military secrets against espionage.

General Stilwell: A Necessary Security Tool



General Stilwell. We believe very strongly that it is a unique tool to be used as a supplement to all our other personnel security investigative techniques, to give us greater assurance than we have now that we are doing everything we can to thwart hostile intelligence efforts.

Q. Why has this Administration expanded the use of polygraphs?

A. The record would indicate that the intelligence-gathering efforts of the Soviet Union and its Eastern European allies and other surrogates have increased over the last few years.

It is significant that we have now a record of 10 individuals awaiting trial for espionage. That suggests something in the way of an increase.

The evidence has also become clear in the last few years of the overwhelming dependence of Soviet defense industry on American technology.

Q. Why can't we catch these people using more traditional background checks?

A. We have found that some of the traditional methods have become less effective.

One reason is the Privacy Act of 1974, which has tended to make friends, neighbors and employers more reluctant to talk about individuals when they are interviewed by our field representatives.

Another is the very large number of people that we're investigating, as contrasted with the staff that's available.

Q. What about that critical report by the Congressional Office of Technology Assessment?

A. On the basis of the experiences of the C.I.A., the National Security Agency and the Department of Defense over a good many years, we simply disagreed with their findings. In our view, they used a very limited body of the studies which are extant.

Division Among Experts

The fact is the experts are divided. We do not say that the polygraph is an instrument to detect lies or to affirm truth. It's a diagnostic tool that measures certain physiological reactions.

We really believe that in the hands of a very, very professional operator — and we consider our people to be of that ilk — it has a very high rate of accuracy in determining the physiological reactions to a 'yes' or a 'no' question.

We put great faith in what will happen pretest and posttest. Particularly in criminal investigations, we get a remarkable amount of admissions from individuals before they're even strapped up.

We get an even larger percentage of admissions after the test, when the operator sits down with the individual to ask him if he can account for an indication of deception.

Q. Much of the success then depends on the subject believing that the test works?

A. A lot of it depends on the fact that the man believes, yes.

Q. What about a foreign agent who has been trained to beat the test, or taught to believe that the test is meaningless?

A. From my own personal experience, a man would have to be a pretty hardened and inveterate liar. Remember, he has to control three different, quite discrete reactions. The most difficult one of all might be the skin response.

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Prudent Precautions

Q. The just-announced Pentagon program, for the first time I believe, would allow a non-intelligence employee to be denied access to information solely because he had failed a test or refused to take a test.

A. Yes, but we do not believe that denial of access to specially sensitive government secrets is an adverse administrative action.

The rules also say that if he cannot stay in his current position and do his work without that access, he is given another position at the same grade and pay level.

We do not believe it to be an unwarranted invasion of privacy.

My own rank and record notwithstanding, I think it only prudent for the United States to find out from me whether I am working for a hostile intelligence agency or not before it puts me in a position to do this great republic very great harm.

Representative Brooks: There Are Better Ways



Representative Brooks. Everybody is for national security. My primary concern has been that the polygraph does not work for the purposes proposed by the Administration — that is, screening. If that's the case, it certainly shouldn't be used for such a high priority purpose as the prevention of espionage.

The Congressional Office of Technology Assessment in 1983 concluded that there were no

scientifically acceptable studies of how well polygraphs had worked when used for screening — pre-employment, pre-access, random checks. While there had been some studies on the investigative uses of polygraphs, when you had a specific incident and a specific suspect, even there they found the validity was as low as 35 percent in detecting guilt.

Even if there has been a surge of espionage against the United States, the polygraph is not the way to combat it. Fair investigations, surveillance, analysis of income and so forth are much more productive.

Question. What is wrong with polygraph screening?

Answer. All the polygraph does is measure several physiological functions — usually breathing patterns, blood pressure and galvanic skin changes — that indicate stress. Everyone agrees that the responses it measures are not unique to lying. Simple fear, nervousness or anxiety

may cause the same results. You might have had an argument with your wife that morning. Maybe your note was overdue. Maybe you have a teen-age kid. Any of those would be enough to upset you.

The critical part is the evaluation by the examiner, and that, of course, is subjective.

And the scientific people that investigated it said that it only has any validity where the test is truly voluntary. Coercion, where you have to take the test or you don't get the job, might well induce fear or nervousness.

Success Not So Amazing

Q. The Central Intelligence Agency and the National Security Agency have been using polygraphs to screen employees for years, and they say it often catches people who have been leaking secrets.

A. They have numerous examples of people who have made confessions, or who have divulged important information, prior to or during the course of a polygraph screening. Often law enforcement interrogators claim amazing success in eliciting confessions by using or threatening to use polygraphs. That is not the same as the exam catching someone in a lie.

Q. Even so, what's the harm if you catch these people?

A. You're going to give a lot of people a bad name who have done nothing. More important, a really qualified mole, a real espionage agent, would beat it hands down. He's certainly not going to break down and confess if he knows the machine is no more reliable than flipping a coin. So you make the mistake of clearing just the people you ought to be catching. It gives you a false assurance. I'm just afraid it's so defective that you're going to clear real criminals.

It's my understanding that the Soviet Union has established a school that teaches its agents how to beat the polygraph.

Q. The Defense Department says the Soviet Union also uses polygraphs to screen its agents.

A. Well, they like coercion over there. And we're not just screening agents, we're screening ordinary Government employees.

Q. Why does your legislation permit the intelligence agencies to keep using the tests?

A. That doesn't signal approval of the polygraph for screening. It's just politically impractical right now to roll back what they have been doing all these years. The technology assessment study does suggest that their practices should be critically examined.

Opposition a Step at a Time

Q. If you thought Congress would go along, would you ban the use of polygraphs for screening employees at the intelligence agencies, too?

A. Well, I think we'll take it one step at a time.

Q. If it's so well-established that these tests don't work, why do the military and intelligence agencies like them so much?

A. I don't know what in the world they're after. I think they just want another little bureaucracy. Everybody they don't like they'll haul in and put 'em on the polygraph machine, see if they're telling the truth.